

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1087

ROBERT PAUL SHARPE,

Plaintiff - Appellant,

v.

PETER SPARK; MARK EASTHAM; DANIEL M. SHOAF,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. Richard E. Myers, II, Chief District Judge. (7:24-cv-00600-M-RJ)

Submitted: August 28, 2025

Decided: September 2, 2025

Before GREGORY, QUATTLEBAUM, and HEYTENS, Circuit Judges.

Remanded by unpublished per curiam opinion.

Robert Paul Sharpe, Appellant Pro Se. John Charles Bircher, III, DAVIS HARTMAN
WRIGHT PLLC, New Bern, North Carolina, for Appellees Peter Spark and Mark Eastham.
Elizabeth Castle Taylor, LAW OFFICES OF ELIZABETH C. TAYLOR, Oak Island,
North Carolina, for Appellee Daniel M. Shoaf.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Paul Sharpe noted an appeal to the district court from the bankruptcy court's order dismissing an adversary proceeding. The district court dismissed Sharpe's appeal after he failed to pay the filing fee as directed. Sharpe then appealed to this court. The district court thereafter notified this court that it had discovered that the parties had not received notice of the order directing Sharpe to pay the filing fee or face dismissal of the appeal. The district court expressed its inclination to sua sponte correct this oversight by vacating the dismissal order, vacating the fee order, and reentering the fee order with notice to the parties. *See* Fed. R. Civ. P. 60(a). Upon consideration of the district court's notice, we grant Sharpe's motion for leave to proceed in forma pauperis and we remand this case to the district court for further proceedings. *See Fobian v. Storage Tech. Corp.*, 164 F.3d 887, 890-91 (4th Cir. 1999). Sharpe's motion for an order to show cause and Appellees' motion for an extension of time are denied as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

REMANDED